

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.03 CC, Closed Area No. 14A, Falmouth-Cumberland, promulgated on April 6, 2001, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 CC, Closed Area No. 14-A, Falmouth-Cumberland

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Towns of Falmouth and Cumberland west of a line beginning at a point of land immediately south of Underwood Road, Falmouth and extending northeast to the wooden pilings at the end of Stornoway Lane, Cumberland.
2. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Town of Falmouth from May 1 through November 14 west of a line beginning at the point of land immediately south of Underwood Road; then running southeast to the north tip of Clapboard Island; AND west of a line beginning at the south tip of Clapboard Island and running southwest to the south tip of the most southern island of The Brothers; then running northwest to a red painted post on the north shore of Mackworth Cove; AND east of a line beginning at Bartlett Point and running north to a red painted post on the north shore of the mouth of Mussel Cove.
3. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Town of Falmouth west of a line beginning at Bartlett Point, Falmouth, and running north to a red painted post on the north shore of the mouth of Mussel Cove. This area is classified restricted and requires a special MDMR permit.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: July 6, 2004

AGENCY CONTACT PERSON:

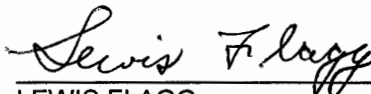
Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, ME 04575

PORTLAND PRESS HERALD
July 10, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 CC, Closed Area No. 14A, Falmouth – Cumberland, promulgated on April 6, 2001, and replaces it with a new regulation. This new regulation is an administrative change that includes a description of the restricted area in Mussel Cove.

The remaining closed areas are subject to bacterial pollution, which poses a threat to public health.



LEWIS FLAGG
DEPUTY COMMISSIONER (EXTERNAL AFFAIRS)



Maine Department of Marine Resources


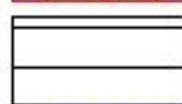

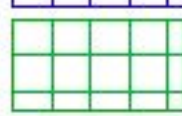
Legal Notice of Shellfish Closure Area

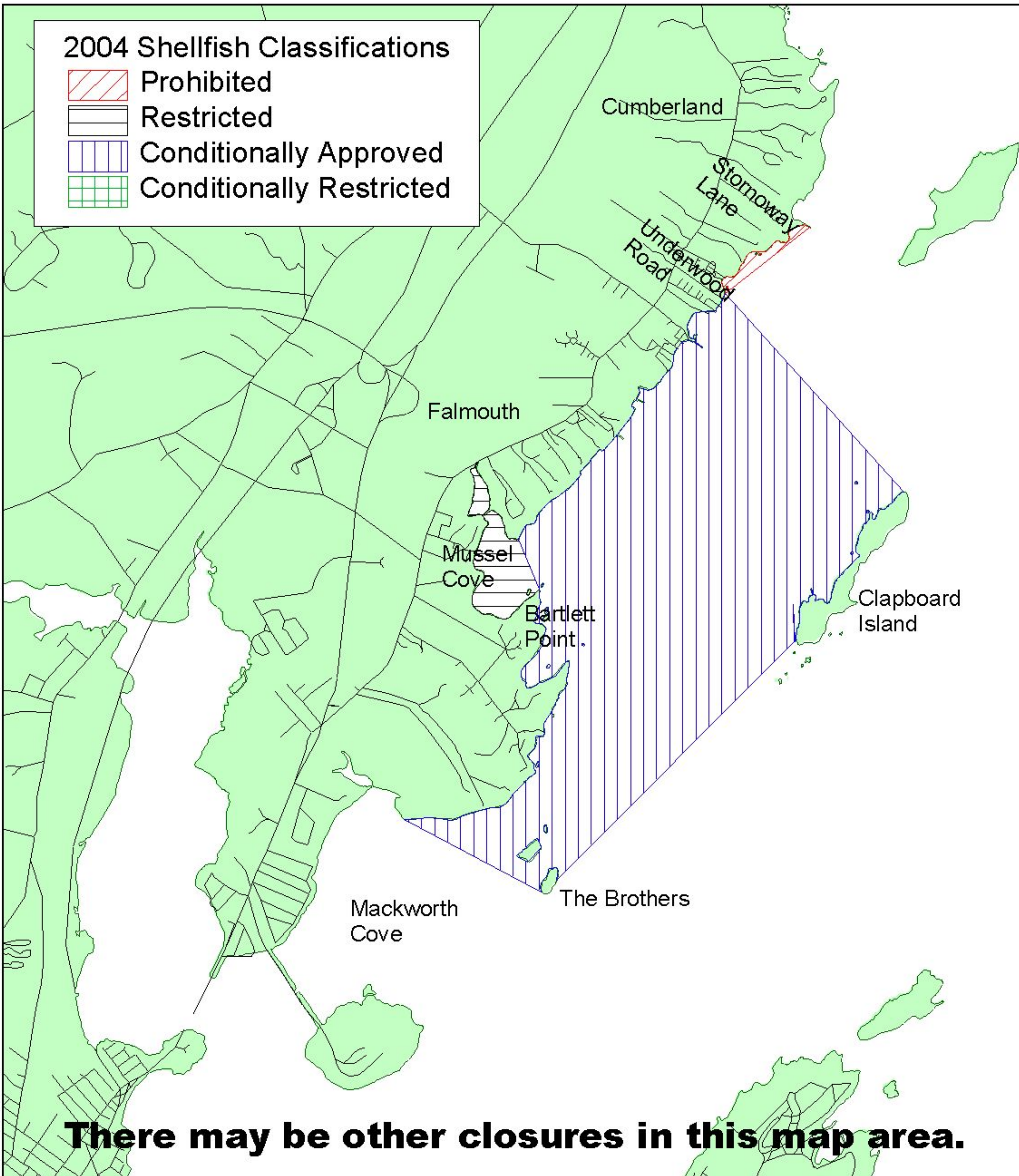
C14A Falmouth-Cumberland

7/9/04



2004 Shellfish Classifications

-  Prohibited
-  Restricted
-  Conditionally Approved
-  Conditionally Restricted



There may be other closures in this map area.

0.6 0 0.6 1.2 Miles

